

October 20th, 2022

National FOIA Office
U.S. Environmental Protection Agency,
1200 Pennsylvania Avenue NW (2310A),
Washington, DC 20460

VIA ONLINE PORTAL

<https://www.foia.gov/>

Re: Freedom of Information Act Request: Desert View Power Plant

Dear FOIA Officer:

This is a request under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, as amended, from the Leadership Counsel for Justice and Accountability (“LCJA”), a non-profit organization that works work alongside the most impacted communities to advocate for sound policy and eradicate injustice to secure equal access to opportunity regardless of wealth, race, income, and place. Through community organizing, research, legal representation, policy advocacy, and creative media we impact land use and transportation planning, shift public investment priorities, guide environmental policy, and promote the provision of basic infrastructure and services. We also use these tools to fulfill the continuing educational goals of our membership and the general public in the process.

REQUESTED RECORDS

LCJA requests the following records from the U.S. Environmental Protection Agency (“EPA”):

1. All records of communications, including but not limited to, emails and/or phone records mentioning, including, and/or referencing air quality violations of the Greenleaf Desert View Power Plant (“Plant”) located at 62300 Gene Welmas Dr, Mecca, CA 92254 since 2015.
2. All permits issued for the Plant.
3. All records pertaining to tests, inspections, performance tests, field tests, and compliance tests done at the Plant since 2015.
4. All records related to enforcement actions against the Plant, including all current and previous operators of the facility.
5. All records relating to comments made to EPA by members of the public referring to the Plant since 2015.

6. All records pertaining to agreements made to mitigate the Plant's impacts and/or in response to violations at the Plant, including any and all previous settlement agreements and consent decrees.

For this request, the term "records" refers to documents, correspondence (including, but not limited to, inter and/or intra-agency correspondence as well as correspondence with entities or individuals outside the federal government), emails, letters, notes, recordings, telephone records, voicemails, telephone notes, telephone logs, text messages, chat messages, minutes, memoranda, comments, files, presentations, consultations, assessments, evaluations, schedules, papers published and/or unpublished, reports, studies, photographs and other images, data (including raw data, GPS or GIS data, UTM, LiDAR, etc.), maps, and/or all other responsive records, in draft or final form.

This request is not meant to exclude any other records that, although not specially requested, are reasonably related to the subject matter of this request. If you or your office have destroyed or determined to withhold any records that could be reasonably construed to be responsive to this request, I ask that you indicate this fact and the reasons therefore in your response.

Under the FOIA Improvement Act of 2016, agencies are prohibited from denying requests for information under FOIA unless the agency reasonably believes release of the information will harm an interest that is protected by the exemption. FOIA Improvement Act of 2016 (Public Law No. 114-185), codified at 5 U.S.C. § 552(a)(8)(A).

Should you decide to invoke a FOIA exemption, please include sufficient information for us to assess the basis for the exemption, including any interest(s) that would be harmed by release. Please include a detailed ledger which includes:

1. Basic factual material about each withheld record, including the originator, date, length, general subject matter, and location of each item; and
2. Complete explanations and justifications for the withholding, including the specific exemption(s) under which the record (or portion thereof) was withheld and a full explanation of how each exemption applies to the withheld material. Such statements will be helpful in deciding whether to appeal an adverse determination. Your written justification may help to avoid litigation.

If you determine that portions of the records requested are exempt from disclosure, we request that you segregate the exempt portions and e-mail the non-exempt portions of such records to my attention at the address below within the statutory time limit. 5 U.S.C. § 552(b).

LCJA is willing to receive records on a rolling basis.

FOIA's "frequently requested record" provision was enacted as part of the 1996 Electronic Freedom of Information Act Amendments, and requires all federal agencies to give "reading room" treatment to any FOIA-processed records that, "because of the nature of their subject matter, the agency determines have become the subject of subsequent requests for substantially the same records." Id. § 552(a)(2)(D)(ii)(I). Also, enacted as part of the 2016 FOIA Improvement Act, FOIA's Rule of 3 requires all federal agencies to proactively "make available for public inspection in an electronic format" "copies of records, regardless of form or format ... that have been released to any person ... and ... that have been requested 3 or more times." Id. § 552(a)(2)(D)(ii)(II). Therefore, we respectfully request that you make available online any records that the agency determines will become the subject of subsequent requests for substantially the same records, and records that have been requested three or more times.

We also request EPA expedite our request given the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual. 40 CFR 2.104(f)(1)(i-ii). This request pertains to potentially ongoing unsafe levels of air pollution coming from the Desert View Power Plant. Exposure to these pollutants puts nearby residents' health and safety in immediate jeopardy.

Finally, agencies must preserve all the records requested herein while this FOIA is pending or under appeal. The agency shall not destroy any records while they are the subject of a pending request, appeal, or lawsuit under the FOIA. 40 C.F.R. § 2.106; see *Chambers v. U.S. Dept. of Interior*, 568 F.3d 998, 1004 (D.C. Cir. 2009) ("[A]n agency is not shielded from liability if it intentionally transfers or destroys a document after it has been requested under FOIA or the Privacy Act"). If any of the requested records are destroyed, the agency and responsible officials are subject to attorney fee awards and sanctions, including fines and disciplinary action. A court held an agency in contempt for "contumacious conduct" and ordered the agency to pay plaintiff's costs and fees for destroying "potentially responsive material contained on hard drives and email backup tapes." *Landmark Legal Found. v. EPA*, 272 F. Supp.2d 59, 62 (D.D.C. 2003); see also *Judicial Watch, Inc. v. Dept. of Commerce*, 384 F. Supp. 2d 163, 169 (D.D.C. 2005) (awarding attorneys' fees and costs because, among other factors, agency's "initial search was unlawful and egregiously mishandled and ...likely responsive documents were destroyed and removed"), *aff'd in relevant part*, 470 F.3d 363, 375 (D.C. Cir. 2006) (remanding in part to recalculate attorney fees assessed). In another case, in addition to

imposing a \$10,000 fine and awarding attorneys' fees and costs, the court found that an Assistant United States Attorney prematurely "destroyed records responsive to [the] FOIA request while [the FOIA] litigation was pending" and referred him to the Department of Justice's Office of Professional Responsibility. *Jefferson v. Reno*, 123 F. Supp. 2d 1, 6 (D.D.C. 2000).

FORMAT OF REQUESTED RECORDS

Under FOIA, you are obligated to provide records in a readily accessible electronic format and in the format requested. 5 U.S.C. § 552(a)(3)(B) ("In making any record available to a person under this paragraph, an agency shall provide the record in any form or format requested by the person if the record is readily reproducible by the agency in that form or format."). "Readily accessible" means text-searchable and OCR-formatted. See *id.* Pursuant to this requirement, we hereby request that you produce all records in an electronic format and in their native file formats. Additionally, please provide the records in a load-ready format with a CSV file index or Excel spreadsheet. If you produce files in .PDF format, then please omit any "portfolios" or "embedded files." Portfolios and embedded files within files are not readily accessible. Please do not provide the records in a single, or "batched," .PDF file. We appreciate the inclusion of an index.

If you should seek to withhold or redact any responsive records, we request that you: (1) identify each such record with specificity (including date, author, recipient, and parties copied); (2) explain in full the basis for withholding responsive material; and (3) provide all segregable portions of the records for which you claim a specific exemption. *Id.* § 552(b). Please correlate any redactions with specific exemptions under FOIA.

RECORD DELIVERY

We appreciate your help in expeditiously obtaining a determination on the requested records. As mandated in FOIA, we anticipate a reply within 20 working days. *Id.* § 552(a)(6)(A)(i); 40 CFR 2.104(a). Failure to comply within the statutory timeframe may result in LCJA taking additional steps to ensure timely receipt of the requested materials. Please provide a complete reply as expeditiously as possible. You may email or mail copies of the requested records to:

Perry Elerts
Staff Attorney
Leadership Counsel for Justice and Accountability
85350 Bagdad Ave.,

Coachella, CA 92236
Cell: (951) 321-9441
pelerts@leadershipcounsel.org

If you find that this request is unclear, or if the responsive records are voluminous, please email me to discuss the scope of this request.

REQUEST FOR FEE WAIVER

FOIA was designed to provide citizens a broad right to access government records. FOIA's basic purpose is to "open agency action to the light of public scrutiny," with a focus on the public's "right to be informed about what their government is up to." *NARA v. Favish*, 541 U.S. 157, 171 (2004) quoting *U.S. Dep't of Justice v. Reporters Comm. for Freedom of Press*, 489 U.S. 749, 773-74 (1989) (internal quotation and citations omitted). In order to provide public access to this information, FOIA's fee waiver provision requires that "[d]ocuments shall be furnished without any charge or at a [reduced] charge," if the request satisfies the standard. 5 U.S.C. § 552(a)(4)(A)(iii). FOIA's fee waiver requirement is "liberally construed." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1310 (D.C. Cir. 2003); *Forest Guardians v. U.S. Dept. of Interior*, 416 F.3d 1173, 1178 (10th Cir. 2005).

The 1986 fee waiver amendments were designed specifically to provide non-profit organizations such as LCJA access to government records without the payment of fees. Indeed, FOIA's fee waiver provision was intended "to prevent government agencies from using high fees to discourage certain types of requesters and requests," which are "consistently associated with requests from journalists, scholars, and non-profit public interest groups." *Ettlinger v. FBI*, 596 F. Supp. 867, 872 (D. Mass. 1984) (emphasis added). As one Senator stated, "[a]gencies should not be allowed to use fees as an offensive weapon against requesters seeking access to Government information" 132 Cong. Rec. S. 14298 (statement of Senator Leahy).

I. LCJA Qualifies for a Fee Waiver.

Under FOIA, a party is entitled to a fee waiver when "disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the [Federal] government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A)(iii). The U.S. Environmental Protection Agency's ("EPA") FOIA regulations that govern EPA at 40 CFR 2.107(a) establish the same standard.

Thus, when determining whether a request is in the public interest, EPA must consider: (1) how the subject of the requested records concerns “the operations or activities of the Federal government;” and (2) how disclosure is “likely to contribute” significantly to an understanding of those government operations or activities, including (i) how the contents of the records are meaningfully informative; (ii) what the logical connection is between the content of the records and the operations or activities of the federal government; (iii) how disclosure will contribute to an understanding of a reasonably broad audience of persons interested in the subject; (iv) LCJA expertise in the subject area, as well as its identity, vocation, qualifications, and plan to disclose the information in a manner that will be informative to the understanding of a reasonably broad audience of persons interested in the subject; (v) the requester’s ability and intent to disseminate the information to a reasonably broad audience of persons interested in the subject; (vi) whether the records would confirm or clarify data that has been previously released; and (vii) how the public’s understanding of the subject in question will be enhanced to a significant extent by the disclosure, and (3) the public’s understanding of the subject in question, as compared to the level of public understanding existing prior to the disclosure, must be enhanced by the disclosure to a significant extent. 40 CFR 2.107(1)(2).

When these requirements are satisfied and any commercial interest is not the primary interest furthered by the request, this balancing test shows a waiver or reduction of fees is justified. In determining whether disclosure of the requested records is primarily the requester’s commercial interest (based the requester’s intended use of the information), EPA will consider: (1) whether the requested records would further any commercial interest of the requester; (2) if so, whether that is the primary interest furthered by the request by balancing the commercial interest against the public interest in disclosure of the records; (3) any explanatory information regarding these considerations that the requester provides; (4) whether the public interest is greater than any identified commercial interest in disclosure; (5) if the requester’s commercial interest would be furthered by disclosure, whether the public interest in disclosure would be greater than any commercial interest in the records. 40 CFR 2.107(1)(3).

As shown below, LCJA meets each of these factors.

A. The Subject of This Request Concerns “The Operations and Activities of the Government.”

The subject matter of this request concerns the operations and activities of EPA, a government agency. This FOIA request will provide LJCA and the public with crucial insight into EPA’s rationale for issuing a Notice of Violation to Desert View Power Plant in Mecca, California. The subject matter of the request concerns also the operations of EPA and actions the Agency has taken in regards to permitting, enforcement, testing and inspections of the Desert

View Power Plant. All of those activities are operations and activities of the government. The requested records are likely to contribute to an understanding of government operations and activities, and therefore LJCA meets this factor.

B. Disclosure is “Likely to Contribute” to an Understanding of Government Operations or Activities.

The requested records are meaningfully informative about government operations or activities, and will contribute to an increased understanding of those operations and activities by the public. As described further below, the requested records meet the requirements to be considered in the public interest.

(i) The Contents of the Records Are Meaningfully Informative.

The records requested through this FOIA request are meaningfully informative. Disclosure of the requested records will allow LCJA to convey to the public information about why EPA issued a notice of violation to the Desert View Power Plant, what the alleged violations were, how they happened, the significance of those violations, and how local residents might be impacted. Thus, LCJA meets this factor.

(ii) There Is a Logical Connection Between the Content of the Records and the Operations or Activities of the Federal Government.

There is a logical connection between the responsive records’ content and the operations or activities of the federal government. It is clear that a federal agency’s decision-making and fact finding about issuing a Notice of Violation under federal law is a specific and identifiable activity of the government, and in this case it is the EPA. *Judicial Watch*, 326 F.3d at 1313 (“[R]easonable specificity is all that FOIA requires with regard to this factor.”) (internal quotations omitted). The requested records will also contribute to public understanding of whether EPA’s actions are consistent with the Clean Air Act. The requested records will contribute to public understanding of this topic. Thus, LCJA meets this factor.

(iii) Disclosure Will Contribute to the Understanding of a Reasonably Broad Audience of Persons Interested in the Subject.

Activities of EPA generally, and specifically its basis for issuing a Notice of Violation to the Desert View Power Plant are areas of interest to a reasonably broad segment of the public. LCJA will use the information it obtains from the disclosed records to educate the public at large about this topic. *See W. Watersheds Proj. v. Brown*, 318 F. Supp. 2d 1036, 1040 (D. Idaho

2004) (finding that “WWP adequately specified the public interest to be served, that is, educating the public about the ecological conditions of the land managed by the BLM and also how ... management strategies employed by the BLM may adversely affect the environment”). Through the LCJA’s synthesis and dissemination (by means discussed in Section II, below), disclosure of information contained in and gleaned from the requested records will contribute to a broad audience of persons who are interested in the subject matter, including residents of the disadvantaged unincorporated community of Mecca, where the plant is located, as well as residents of other disadvantaged communities across the East Coachella Valley with whom Leadership Counsel works and who are impacted by the plant’s air quality violations. *Ettlinger*, 596 F. Supp. at 876 (benefit to a population group of some size distinct from the requester alone is sufficient); *Carney v. Dep’t of Justice*, 19 F.3d 807, 815 (2d Cir. 1994), cert. denied, 513 U.S. 823 (1994) (applying “public” to require a sufficient “breadth of benefit” beyond the requester’s own interests); *Cnty. Legal Servs. v. Dept. of Hous. & Urban Dev.*, 405 F. Supp. 2d 553, 557 (E.D. Pa. 2005) (in granting fee waiver to community legal group, court noted that while the requester’s “work by its nature is unlikely to reach a very general audience,” “there is a segment of the public that is interested in its work”).

Disclosure of these records is not only “likely to contribute,” but is certain to contribute to public understanding of EPA’s decision-making as it relates to issuing a Notice of Violation. The public is always well served when it knows how the government conducts its activities, particularly matters touching on legal questions, and legal violations which might impact them. Hence, there can be no dispute that disclosure of the requested records to the public will educate the public about EPA’s findings and work.

(iv) LCJA Has Expertise in this Subject Area, and Has Plan to Disclose the Information in a Manner that Will Be Informative to the Understanding of a Reasonably Broad Audience of Persons Interested in the Subject.

LCJA is a non-profit organization that informs, educates, counsels, and works alongside the most impacted communities to advocate for sound policy and eradicate injustice to secure equal access to opportunity regardless of wealth, race, income, and place. LCJA has been substantially involved in the activities of numerous government agencies for over the years, and has consistently displayed its ability to disseminate information granted to it.

In granting LCJA’s fee waivers, agencies have recognized: (1) that the information requested by the LCJA contributes significantly to the public’s understanding of the government’s operations or activities; (2) that the information enhances the public’s understanding to a greater degree than currently exists; (3) LCJA possesses the expertise to explain the requested information to the public; (4) that LCJA possesses the ability to

disseminate the requested information to the general public; (5) and that the news media recognizes LCJA as an established expert in the field of environmental justice, transportation, climate, investment, environmental policy, and infrastructure. LCJA's track record of active participation in oversight of governmental activities and decision making, and its consistent contribution to the public's understanding of those activities as compared to the level of public understanding prior to disclosure are well established.

Once the information is made available, LCJA will analyze it and present it to residents of Mecca and other disadvantaged communities in the East Coachella Valley , community-based organizations with which Leadership Counsel partners, online activists and the general public in a manner that will meaningfully enhance the public's understanding of this topic.

(v) LCJA Has the Ability and Intent to Disseminate the Information to a Reasonably Broad Audience of Persons Interested in the Subject.

LCJA has a proven track record of successfully disseminating information to a reasonably broad audience of people interested in this subject matter. LCJA's work appears in news stories online and in print, radio and TV, including regular reporting in such important outlets as The Fresno Bee, Desert Sun, and Los Angeles Times. Many media outlets have reported on the disproportionate impact low income communities of color face utilizing information obtained by LCJA. Many people visit the LCJA website, and view our pages which provide information on environmental justice issues. LCJA sends out email newsletters and action alerts to our members and supporters. More than 2,500 people follow the LCJA on Facebook, and there are regular postings regarding air pollution and air quality in California. LCJA also regularly tweets to more than 3,753 followers on Twitter.

Furthermore, public oversight and enhanced understanding of EPA's duties is absolutely necessary. In determining whether disclosure of requested information will contribute significantly to public understanding, a guiding test is whether the requester will disseminate the information to a reasonably-broad audience of persons interested in the subject. *Carney*, 19 F.3d 807. LCJA need not show how it intends to distribute the information, because "[n]othing in FOIA, the [agency] regulation, or... case law require[s] such pointless specificity." *Judicial Watch*, 326 F.3d at 1314. It is sufficient for LCJA to show how it distributes information to the public generally. *Id.*

LCJA intends to discuss and disseminate with other far-reaching media outlets the public information obtained as a result of this FOIA request. As well as LCJA itself will disseminate to residents of Mecca and other disadvantaged communities in the East Coachella Valley, other

community-based organizations, its followers, and others information obtained through this FOIA request

(vi) The Records Were Not Previously Released, So They Would Neither Confirm or Clarify Data That Had Been Previously Released.

The government has not previously released the requested records, as LCJA has specifically requested records that have not been released previously.

Indeed, the public does not currently have the ability to easily evaluate the requested records, which are not currently in the public domain. *See Cmty. Legal Servs.*, 405 F. Supp. 2d at 560 (because requested records “clarify important facts” about agency policy, “the CLS request would likely shed light on information that is new to the interested public.”). As the Ninth Circuit observed in *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1286 (9th Cir. 1987), “[FOIA] legislative history suggests that information [has more potential to contribute to public understanding] to the degree that the information is new and supports public oversight of agency operations... .”

Thus, the requested records will neither confirm nor clarify data that was previously released.

(vii) The Public’s Understanding of the Subject in Question Will Be Enhanced to a Significant Extent by the Disclosure.

LCJA is not requesting these records merely for their intrinsic informational value. Disclosure of the requested records will significantly enhance the public’s understanding of why and on what grounds EPA came to its decision to issue the Desert View Power Plant a Notice of Violation and what the result of that decision might be. This information would drastically improve the public's understanding as compared to the level of public understanding that exists prior to the disclosure. Indeed, public understanding will be significantly increased as a result of disclosure because the requested records will help reveal more about the public's air quality, enforcement of federal standards, and health impacts from alleged Clean Air Act Violations. This information is especially crucial, because the air quality violations at issue are in a neighborhood designated as a racially and ethnically concentrated area of poverty and that is already impacted by some of the worst air quality in the country.¹

¹ See Riverside County 2021-2029 Housing Element Update, available on Riverside County’s website here https://planning.rctlma.org/Portals/14/Riverside%20County%202021-2029%20Housing%20Element%20with%20Appendices_1.pdf

The records are also certain to shed light on EPA's compliance, understanding, use, and interpretation of the Clean Air Act. Such public oversight of agency action is vital to our democratic system and clearly envisioned by the drafters of the FOIA. Thus, LCJA meets this factor as well.

It is immaterial whether any portion of the LCJA's request may currently be in the public domain because the LCJA requests considerably more than any piece of information that may currently be available to other individuals. *See Judicial Watch*, 326 F.3d at 1315.

C. Obtaining the Requested Records is of No Commercial Interest to LCJA.

In deciding whether the fee waiver request meets the requirements in 40 CFR 2.107(l)(3)(i), EPA must consider that LCJA has no commercial interest that would be furthered by the requested disclosure.

Access to government records, disclosure forms, and similar materials through FOIA requests is essential to LCJA's role of educating the general public. Founded in 2013, LCJA is a 501(c)(3) nonprofit conservation organization that works alongside hundreds of residents, dozens of partner organizations in Riverside County and across the state of California, and members of the public dedicated to advocating for sound policy and eradicating injustice to secure equal access to opportunity regardless of wealth, race, income, and place. Even if LCJA did have a primary interest furthered by the request, the public interest in disclosure of the records would far outweigh any commercial interest recognized by LCJA.

Thus, LCJA has no commercial interest and will realize no commercial benefit from the release of the requested records.

D. The Public's Understanding of The Subject in Question, as Compared to the Level of Public Understanding Existing Prior to the Disclosure, Will be Enhanced by the Disclosure to a Significant Extent.

In deciding whether the fee waiver request meets the requirements in 40 CFR 2.107(l)(2)(iv), EPA must consider whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities. The public's understanding of the subject in question, as compared to the level of public understanding existing prior to the disclosure, must be enhanced by the disclosure to a significant extent. *Id.* EPA however can not make value judgments about whether information that would contribute significantly to public understanding of the operations or activities of the government is "important" enough to be made public.

It is unquestionable that LCJA request meets this requirement. The current public understanding of potential air quality violations at the Desert View Power Plant is limited to portions of the Notice of Violation, which is a technical legal document which can be difficult to comprehend. The Notice also references other material which is not currently in the public domain, so those documents can not be referenced for further understanding. The requested documents will also educate the public about the timeline of violations, and outline all the actions EPA has taken thus far. That information is currently not available. Inspections, tests, reports, findings by EPA in support of the Notice are clearly operations of the government, and these requested documents as already noted would significantly contribute to the public's understanding of these operations. This information is especially crucial, because the air quality violations at issue are in a neighborhood designated as a racially and ethnically concentrated area of poverty and that is already impacted by some of the worst air quality in the country.

Thus, LCJA meets this requirement.

II. Request Qualifies for Expedition.

EPA takes requests out of order and gives expedited treatment whenever EPA determines that such requests or appeals involve a compelling need. 40 CFR 2.104(f)(1). There are two situations in which EPA will find there is a compelling need: in (i) circumstances in which the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or (ii) an urgency to inform the public about an actual or alleged Federal government activity, if the information is requested by a person primarily engaged in disseminating information to the public. 40 CFR 2.104(f)(1)(i-ii).

A. Lack of an Expedition Could Reasonably Pose an Imminent Threat to Life or Physical Safety.

This request pertains to an imminent threat to life and physical safety of the residents of Mecca who neighbor the Desert View Power Plant, who are allegedly being exposed to toxic air pollutants that far exceeds Clean Air Act standards. One of the many alleged violations relates to excess mercury pollution. Mercury exposure at high levels can harm the brain, heart, kidneys, lungs, and immune system of people of all ages. High levels of methylmercury in the bloodstream of babies developing in the womb and young children may harm their developing nervous systems, affecting their ability to think and learn. Residents need to be made aware of their exposure to mercury and the other alleged excess air pollutants that are entering their community. These air pollutants are above federal standards and thus could pose an imminent threat to their life and physical safety. Additionally, there is an urgent need to inform the public

regarding EPA's role in protecting residents of Mecca from these conditions, or on the other hand, perpetuating these issues by failing to exercise its regulatory authority.

III. Conclusion

For all of the foregoing reasons, LCJA qualifies for a full fee waiver. We hope that EPA will immediately grant this fee waiver request and begin to search and disclose the requested records without any unnecessary delays. If you have any questions, please contact me at pelerts@leadershipcounsel.org. All records and any related correspondence should be sent to my attention at the address below.

Sincerely,

Perry Elerts

Perry Elerts
Staff Attorney
Leadership Counsel for Justice and Accountability
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